REMARKS

The Office Action of October 21, 2003, has been carefully reviewed, and this paper is responsive thereto. Reconsideration and allowance are respectfully requested.

Claims 5-8, 13-15, and 28-30, and 32-39 are now pending. By this Amendment, claims 2-4, 9-12, 17-24, and 31 are canceled without prejudice or disclaimer, claims 5-8, 13, 28, and 29 are amended, and new claims 32-39 are added.

Of the presently pending claims, claims 5-8, 13-15, and 28-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,404,439 to Moran et al. ("Moran") in view of U.S. Patent No. 5,546,527 to Fitzpatrick et al. ("Fitzpatrick"). Applicant respectfully traverses.

Independent Claim 13

Independent claim 13 is directed to implementing a tap input to a computer. Claim 13 as amended recites determining whether a location of the tap includes wet ink; and responsive to the step of determining, adding a dot of ink.

The Office Action refers either to Moran or Fitzgerald at col. 4, lns. 15-60 (it is unclear which reference this citation is to), however this portion of either reference simply does not have anything to do with <u>wet ink</u>. Nor does either reference teach or suggest, either alone or in combination, adding a dot of ink <u>in response to</u> the claimed step of determining. For at least these reasons, claim 13 is allowable over Moran and Fitzgerald, either taken alone or in combination.

Dependent Claim 14

Claim 14, which depends from claim 13, further recites simulating a right mouse click responsive to the input being classified as a hold. The Office Action refers to col. 3, lns. 24-27 of either Moran or Fitzgerald (it is unclear which reference this citation is to). It appears the Office Action may be referring to Moran, which states:

> For example, as with digitizers or mousse, the pen can have buttons 21 which when clicked or released signals an action is to be taken. In addition, the pen can have a pressure-sensitive tip switch 22 which when pressed against the screen is recognized by the whiteboard as beginning or ending a pen action.

Such a statement clearly fails to teach or suggest the above-mentioned feature of claim 14. All that Moran states here is that a pen can have buttons and a pressure-sensitive tip switch, that can cause a "pen action" to begin or end. There is no teaching that the "pen action" is a simulated right mouse click. Even if the "pen action" were somehow interpreted to be a simulated right mouse click, there is no teaching that the pen action is performed responsive to an input being classified as a hold. For at least these reasons, claim 14 is also allowable.

Independent Claim 28

Independent claim 28 as recites, *inter alia*, classifying user input as a hold and drag if the user input satisfies both a time threshold and a second move threshold but fails to satisfy a first move threshold. Claim 28 is amended to clarify that the first move threshold is different from the second move threshold. An illustrative embodiment consistent with claim 28 is shown in Figure 3 of Applicant's specification.

As conceded by the Office Action, Moran fails to teach or suggest a hold and drag. However, Fitzgerald fails to make up for this deficiency of Moran. The Office Action asserts that Fitzgerald discloses determining a hold and drag because Fitzgerald discloses dragging a document icon to hover over a target icon, and then hovering the document icon over the target icon for a predetermined amount of time. Col. 4, lns. 9-20. Without conceding that this action in Fitzgerald is a hold and drag (it is not), nowhere in Fitzgerald is a determination of a hold and drag made based on a time threshold, a first move threshold, and a second move threshold different from the first move threshold, as required by claim 28. In other words, claim 28 requires two different move thresholds to make a hold and drag determination.

Thus, neither Moran nor Fitzgerald, either alone or in combination, teaches or suggests classifying user input as a hold and drag if the user input satisfies both the time threshold and the second move threshold but fails to satisfy the first move threshold (different from the second move threshold), as recited in claim 28.

Dependent Claim 30

Claim 30, which ultimately depends from claim 28, further recites that a drag threshold includes a speed threshold. The Office Action makes it clear that the rejection of claim 30 is based on the same reasoning as the rejection of claims 10 and 11. Respectfully, such a rejection makes no sense. Neither claim 10 nor claim 11 (both now canceled) recited a speed threshold as is recited in claim 28. Applicant requests that the Examiner properly consider claim 30 on its own merits and based on its own individual

recitation. In any event, neither Moran nor Fitzgerald teaches or suggests a speed threshold of any kind.

Independent Claim 32

New independent claim 32 recites a method including, *inter alia*, 1) first determining whether user input moves at least a first distance; 2) second determining whether the user input ends before a certain amount of time; and 3), responsive to the user input failing to move at least the first distance within the certain amount of time and failing to end before the certain amount of time, third determining whether the user input moves at least a second distance larger than a first distance. Claim 32 thus compares the user input to two different distances. It is respectfully submitted that none of the art of record, either alone or in any combination, teaches or suggests these features.

Independent Claim 38

New independent claim 38 recites a method including, *inter alia*, 1) first determining whether an input is a stroke based on a first move threshold; 2) if the input is not a stroke, then second determining whether the input is a tap based on a time threshold; and 3) if the input is neither a stroke nor a tap, then third determining whether the stroke is a hold or a hold and drag. It is respectfully submitted that none of the art of record, either alone or in any combination, teaches or suggests these features.
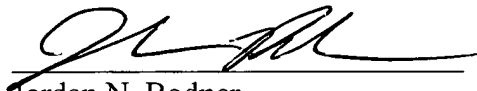
Remaining Dependent Claims

All of the remaining dependent claims are allowable for at least those reasons discussed above with regard to their respective independent claims, and further in view of the additional features recited therein.

Conclusion

Applicant submits that the present application is in condition for allowance, and notification of the same is respectfully requested. Should the Examiner feel that a telephone call would expedite prosecution, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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